

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-6, 9-15, 17 and 18 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Telephone Interview

Applicants note with appreciation the telephone interview conducted on April 20, 2006 wherein the outstanding Action was discussed. In the course of the interview, a number of possible changes were discussed to overcome the various rejections. It was agreed that they should be submitted in an amendment for full consideration by the Examiner. Accordingly, the present amendment is being presented.

Entry of Amendment

It is respectfully requested that the present Amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application into condition for allowance. If the Examiner does not agree that the application is in condition for allowance, it is respectfully requested that the present amendment should be entered for the purpose of appeal. The present Amendment reduces the issues the of appeal by canceling four claims and by revising the language as the Examiner suggested in order to overcome the 35 USC 112 rejection. The only other changes to the claims are the insertions of the word "electrically" to make it clear that various parts are electrically conducting. Applicants submit that this does not involve any new issues.

Rejection Under 35 USC 112

Claims 1-6 and 8-20 stand rejected under 35 USC 112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The Examiner states that the term “preventing excessive wear” is an indefinite term. Applicants have now changed this term to “reducing wear” as suggested by the Examiner. Thus, the word “excessive” has been removed to avoid any indefiniteness. Basis for this is found in the specification, for example, on page 3, line 19. Accordingly, this rejection is believed to be overcome.

The Examiner also rejected claims 8, 16, 19 and 20 due to the limitation “reinforced sections.” Applicants have now amended the claims to cancel these claims, rendering this rejection moot.

Rejection Under 35 USC 102

Claims 1-6 and 8-20 stand rejected under 35 USC 102 as being anticipated by Mimata (U.S. Patent 6,399,904). This rejection is respectfully traversed. The Examiner states that Mimata shows a directional switch having a base block 11, contact terminals 25 and 35, an elastic member 23, a depressing block 5 and a lid 6 with center opening 62. The Examiner further states that the pressing block has depressed spots 53 and means 61 for preventing excessive wear which is located between the depressing block and the conductive member. The Examiner points out that conductive member 4 conducts force and further notes that all materials must conduct electricity and heat to some finite degree.

Applicants disagree with the Examiner's application of the Mimata reference. First, Applicants have amended the claims to make it clear that the conductive member is electrically conductive. It is noted that operation member 4 of Mimata is made from a synthetic resin body, which is typically insulative and not electrically conductive. Although the Examiner states that all materials conduct electricity to some finite degree, Applicants submit that the term "electrically conductive" does not mean that the material has some minute amount of electrical conduction. Instead, electrically conducting means that it falls within the class of materials which readily conducts electricity. Under the Examiner's reasoning, materials such as glass, air or any other materials which are normally considered insulative would also be considered electrically conducting. Applicants submit that this flies in the face of the usual definition of the term.

Furthermore, the Examiner has equated the mean 61 as preventing excessive wear. This element is entitled an engaging-checking piece and is part of the lid 6. The final paragraph of the claim indicates that the means for reducing wear is located between the depressing block and the conductive member. If the Examiner believes that the depressing block is 5 and that the conductive member is 4, it is impossible for element 61 to be located between the two.

Furthermore, the Examiner states that the depressing block has depress spots 53 corresponding to the pressing spots. Applicants submit that there are no such spots are shown in spring member 5 of Mimata. Elements 53 are four arms extending from the center frame portion (Col. 8, lines 13-14). There are no spots on these arms. Furthermore, no part of the spring corresponds specifically to the pressing spots as described in the claim. Accordingly, Applicants submit that claim 1 is not anticipated by this reference.

Likewise, claims 5 and 11 now include similar limitations which make them allowable as well.

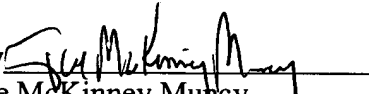
Claims 2-4, 6, 9, 10, 12-15, 17 and 18 depend from these allowable independent claims and as such are also considered to be allowable. In addition, each of these claims recite other features which make them additionally allowable.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patent relied on by the Examiner. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

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Respectfully submitted,

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